

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA  
LAS VEGAS DIVISION**

PRINCIPAL FINANCIAL SERVICES, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 2:11-cv-00009
	)	
PFRESOURCES, LLC;	)	
and DOES 1 through 100, inclusive,	)	
	)	
Defendants.	)	

**CONSENT JUDGMENT**

This action having been commenced by Plaintiff, PRINCIPAL FINANCIAL SERVICES, INC. ("Plaintiff") against Defendant, PFRESOURCES, LLC ("Defendant"), and the parties having agreed to settle this matter and to terminate this action by a Final Judgment and Permanent Injunction by Consent, and the Court being duly advised, the Court finds as follows:

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. This is an action for trademark infringement, dilution and unfair competition under the laws of the United States, Title 15, United States Code, and under the laws of the State of Nevada. This Court has jurisdiction over the subject matter of the Complaint in this action based on 28 U.S.C. Sections 1332, 1367 and 1338 and 15 U.S.C. Section 1121. This Court has personal jurisdiction over the Defendant. Venue is proper within this judicial district.

2. Plaintiff Principal Financial Services, Inc. is a corporation existing under the laws of the State of Iowa with a principal place of business at 711 High Street, Des Moines, Iowa 50392, and is the owner of the famous family of PRINCIPAL and PRINCIPAL formative

trademarks in the United States and throughout the world, as listed in the Complaint filed in this case. Plaintiff, through its various sister companies and licensees, uses the famous family of PRINCIPAL and PRINCIPAL formative marks throughout the world in connection with a variety of services including, but not limited to, financial, insurance, investment, retirement, banking, real estate and healthcare.

3. Defendant PFResources, LLC is a limited liability company organized and existing under the laws of the State of Nevada with its principal place of business at 2620 Regatta Drive, Suite 102, Las Vegas, Nevada 89128.

4. Defendant acknowledges that Plaintiff is the owner of numerous United States trademark registrations for the Principal Family of Marks, as listed in the Complaint filed in this case. Defendant also acknowledges that the Principal Family of Marks have become widely and favorably known as identifying products and services originating from Plaintiff.

5. Defendant acknowledges it has used the PRINCIPAL FINANCIAL RESOURCES Marks, as defined in Plaintiff's Complaint, for the offering of financial services within the State of Nevada and in interstate commerce.

6. Any unauthorized advertising, promotion, distribution or sale of financial services by Defendant utilizing a trademark or trade name incorporating PRINCIPAL and/or PRINCIPLE is likely to confuse, mislead or deceive the public into believing that such goods or services originate from or are sponsored or authorized by Plaintiff and constitutes trademark infringement, dilution and unfair competition in violation of Federal law and the laws of the State of Nevada.

7. The parties have agreed to the entry of this Order as a part of a Settlement and each party has read this Order and agrees to be fully bound by its terms.

**IT IS HEREBY ORDERED:**

A. Defendant PFResources, LLC, as well as any of its owners, officers, agents, servants, employees, attorneys, successors and assigns and all other persons in active concert or participation with it, is hereby immediately and permanently enjoined and restrained from:

1. using any PRINCIPAL and/or PRINCIPLE formative trademark, trade name and/or domain name in connection with any insurance, financial, banking, investment, real estate, health care and/or related services, including but not limited to any use on any websites, signage and/or printed materials relating to such services;
2. making any false and/or misleading statements in the advertising, promotion and offering for sale of insurance, financial, banking, investment, real estate, health care and/or related services that would be likely to confuse, mislead and/or deceive customers and/or potential customers into believing that such services originate from Plaintiffs; and
3. assisting, aiding and/or abetting any other person and/or business entity in engaging in and/or performing any of the activities enjoined herein.

B. Defendant is further ordered to take the following steps on or before September 1, 2011:

1. Remove any and all interior and/or exterior signs from any of their business facilities bearing in whole or in part the word PRINCIPAL and/or PRINCIPLE, or any word or words confusingly similar to the Principal Family of Marks.

2. Cease all use of any websites, electronically created materials, and/or printed materials featuring in whole or in part the word PRINCIPAL and/or PRINCIPLE, or any word or words confusingly similar to the Principal Family of Marks in connection with any insurance, financial, banking, investment, real estate, health care or related services.
3. Permanently cease answering the telephone by identifying themselves as "Principal Financial Resources" or any other name or mark which incorporates, contains or resembles in any confusingly similar fashion any of the Principal Family of Marks set forth in the Complaint and/or the terms PRINCIPAL or PRINCIPLE.
4. Submit and/or file all necessary documentation to effectuate a dissolution of the trade name "Principal Financial Resources" with any and all licensing bodies and other such governmental and/or regulatory agencies by no later than September 1, 2011. The new name(s) shall not incorporate, contain or resemble in any confusingly similar fashion any of the Principal Family of Marks set forth in the Complaint and/or the terms PRINCIPAL or PRINCIPLE.
5. Cease use of the URL [www.principalfinancialresources.com](http://www.principalfinancialresources.com) to direct users to Defendant's web site currently found at the URL [www.trendshift.com](http://www.trendshift.com) within 120 days from the date of this Order and thereafter to transfer ownership in said URL to Plaintiff.

C. Defendant is further ordered to immediately provide written notice to all telephone



directories, trade directories or any other business or promotional directories or journals Defendant has used or appeared in, informing such publication of the new name(s) and requesting that such publication change Defendant's listing(s) in the next printing.

D. Defendant is further ordered to file with this Court and serve upon counsel for Plaintiff on or before November 30, 2011 a report in writing, under oath, outlining in detail all steps taken in an effort to comply with this FINAL JUDGMENT AND PERMANENT INJUNCTION BY CONSENT.

**IT IS FURTHER ORDERED:**

If there are any violations of this Judgment, Plaintiff may seek to amend this Judgment or seek full damages and profits, trebled as prescribed by Section 35(a) of the Lanham Act, 15 U.S.C. § 1117(a), as well as its costs and attorneys' fees and any such other and further relief to which it may be entitled. The jurisdiction of this Court is retained for the purpose of making any other orders necessary or proper to construe, enforce or implement the terms of this Judgment and to punish or award damages or violations thereof.

**IT IS SO ORDERED.**

Dated: 8/24/11



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**HONORABLE KENT J. DAWSON  
UNITED STATES DISTRICT JUDGE**

The parties have consented to the entry of this Judgment without further notice and hereby waive any right to appeal.

**PRINCIPAL FINANCIAL SERVICES, INC.**

Date: August 18, 2011

By: 

Name: Leanne M. Valentine

Title: Vice President & Associate General Counsel

/s/ Richard B. Biagi, Esq.

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and

PFRESOURCES, LLC

Date:

8/5/11

By:

Name:

MATTHEW SOBERS

Title:

MANAGER

  
*Counsel for Defendant*

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